



CHRIS CHRISTIE  
Governor

## New Jersey Office of the Attorney General

Division of Consumer Affairs  
State Board of Dentistry  
124 Halsey Street, 6<sup>th</sup> Floor, Newark, NJ 07102



PAULA T. DOW  
Attorney General

KIM GUADAGLIA **VIA CERTIFIED (RRR) AND REGULAR MAIL**  
Lt. Governor

THOMAS R. CALCAGNI  
Director

September 26, 2011

Dr. Kavitha Battula  
597 Bryn Mawr Court  
Paramus, NJ 07652

RECEIVED AND FILED  
WITH THE  
N.J. BOARD OF DENTISTRY  
ON 10-17-11 DA

**Mailing Address:**  
P.O. Box 45005  
Newark, NJ 07101  
(973) 504-6405

Re: Settlement Letter in Lieu of Formal Disciplinary Proceedings in Complaints:  
69683 - S.G. and K. G.

Dear Dr. Battula:

This letter is to advise you that the New Jersey State Board of Dentistry completed its review of information concerning the above captioned complainants. Specifically, the information reviewed included:

1. The individual patient and Enforcement Bureau complaints regarding your treatment of the patients listed above;
2. Your response concerning the prescriptions you wrote for these patients; and,
3. Copies of the patient treatment and financial records, and other office records.

Based upon the review of these matters, the Board has determined that you have engaged in the following actions which constitute violations of the Board's statutes and regulations:

1. You engaged in the indiscriminate writing of prescriptions for controlled dangerous substances to these patients on at least six occasions.
2. You failed to keep and maintain accurate patient records for patients S.G. and K. G. on at least six occasions by not recording prescriptions that you wrote for controlled dangerous substances.

These acts constitute repeated acts of negligence and misrepresentation sufficient to initiate the filing of formal disciplinary proceedings. However, the Board has determined that it will first offer you an opportunity to settle this matter, and avoid the initiation of formal disciplinary proceedings, should you agree to the following:

22DI02384400

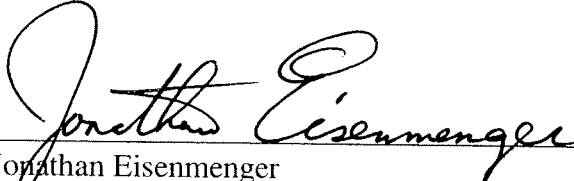
1. Pay a civil penalty of \$1,000.00 for indiscriminate prescription writing and for poor record keeping.
2. Successfully complete a total of seven (7) hours of continuing education in the pharmacology of controlled dangerous substances. These credits are in addition to the continuing education that all licensees are required to complete during each biennial licensing period, and must be completed within six months.

If you are willing to settle this matter on the offered settlement terms, you may do so by signing the acknowledgment at the bottom of this letter, and returning it to the Board office. The penalty may be paid by a check or money order made payable to the "State of New Jersey - Board of Dentistry" and should be submitted to the Board office. The continuing education course(s) must be pre-approved by the Board prior to attendance. You should be advised that upon receipt of your signed acknowledgment, this letter will be a matter of public record.

In the event you are unwilling to settle this matter on the offered terms, it will be referred to the Attorney General's office for the initiation of an appropriate enforcement action. In such event, you will be afforded an opportunity to defend against the alleged violations. If an evidentiary hearing is deemed warranted, the Board will either conduct that hearing at a date and time to be scheduled or refer the matter to the Office of Administrative Law. You are advised, however, that in the event formal charges are filed, the Board may assess civil penalties in an amount greater than those offered in settlement here, in addition to other sanctions, should any charges against you be sustained. Additionally, the Board may, if the facts are found to so warrant, enter an order requiring you to reimburse certain monies and/or requiring you to pay the additional costs incurred by the Board. Should you have any questions concerning this letter or the settlement offer, I suggest that you contact Deputy Attorney General Nancy Costello Miller, who may be reached at (973) 648-2500.

If you elect to settle this matter, you should sign the acknowledgment at the bottom of this letter and return it to the Board within fifteen (15) days following your receipt of this letter. In the event that the Board receives no response from you within fifteen (15) days, the Board's settlement offer will be withdrawn, and the matter will be referred to the Attorney General's Office for the initiation of appropriate enforcement proceedings.

Yours very truly,  
NEW JERSEY STATE BOARD OF DENTISTRY

  
Jonathan Eisenmenger  
Executive Director

cc: Nancy Costello Miller, Deputy Attorney General

**ACKNOWLEDGMENT:** I, Dr. Kavitha Battula, have read and reviewed the settlement proposal set forth in this settlement letter. I acknowledge the conduct which has been charged. I am aware that by signing this acknowledgment, I am waiving any rights I may have to defend myself against any charges of wrongdoing at an administrative hearing. I am also aware that the action taken against me by the Board is a matter of public record, and that this letter is a public document. I agree to comply with the directives noted. I will:

1. Pay a civil penalty of \$1,000.00 for indiscriminate prescription writing and for poor record keeping.
2. Successfully complete a total of seven (7) hours of continuing education in the pharmacology of controlled dangerous substances. These credits are in addition to the continuing education that all licensees are required to complete during each biennial licensing period, and must be completed within six months.

10/12/11

Date

Kavitha Battula

Dr. Kavitha Battula

OCT 17 2011